

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

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UNITED STATES OF AMERICA

11CR-3-01-P.B.

ASSENTED TO MOTION
TO CONTINUE SENTENCING
TO A DATE SUBSEQUENT
TO DECEMBER 1, 2011

- v -

DANIEL MORIARTY, III
Defendant

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HARRY C. BATCHELDER, JR., counsel pursuant to the Criminal Justice Act for Daniel

Moriarty III affirms under the penalties of perjury as follows:

1. Daniel Moriarty's sentencing was scheduled for September 6, 2011, but it was agreed by all parties that it would be of great benefit if prior to sentencing Mr. Moriarty completed the Strafford County Therapeutic Community Drug and Alcohol Program.
2. Mr. Moriarty was remanded on his last appearance and I was advised that on August 31, 2011 Mr. Moriarty was admitted into the program. The projected completion date for the program is December 1, 2011.
3. Assistant United States Attorney Clyde Garrigan has no objection to the requested adjournment.
4. Counsel requests that the sentencing of Mr. Moriarty be adjourned to a date subsequent to December 1, 2011.

5. No memorandum of law is required as the requested relief does not involve substantive issues.

CONCLUSION

THE COURT SHOULD ADJOURN MR. MORIARTY'S SENTENCING TO A DATE SUBSEQUENT TO DECEMBER 1ST AND GRANT SUCH OTHER RELIEF AS IS JUST AND PROPER.

Dated: September 7, 2011
New York, NY

Respectfully submitted:

/s/: Harry C. Batchelder, Jr.

HARRY C. BATCHELDER, JR.
N. H. Bar No. 498
Counsel for Daniel Moriarty
Twenty-Eighth Floor
40 Wall Street
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Certification

I certify that the above Assented to Motion to Continue Sentencing to a date Subsequent to December 1, 2011 was sent on September 7, 2011 via ECF to Assistant United States Attorney Clyde Garrigan, Office of the United States Attorney, District of New Hampshire, 55 Pleasant Street, Concord, NH 03303 and via ECF to Probation Officer Jodi L. Gauvin, Office of United States Probation, District of New Hampshire, 55 Pleasant Street, Concord, NH 03301.

/s/: Harry C. Batchelder, Jr.

Harry C. Batchelder, Jr.